

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

MEGAN WINSTEAD, et al.,)	
Plaintiffs,)	Case No.: 3:19-cv-162
)	
v.)	Judge Harry S. Mattice, Jr.
)	
BROOKHAVEN RETREAT, LLC and)	Magistrate Judge Debra C. Poplin
JACQUELINE DAWES, Individually,)	
Defendants.)	

**STATUS OF SERVICE REGARDING DEFENDANT DAWES
AND MOTION TO EXTEND TIME FOR SERVICE**

Come now the Plaintiffs, by and through counsel, and would advise this Honorable Court as to the efforts to perfect service on Defendant Dawes and to move this Court for an extension of time to execute service on Defendant Dawes and states as follows:

1. Pursuant to the Court's *Order* [Doc. 21], and as set forth in Plaintiffs' *Response to Order to Show Cause* [Doc. 17], Plaintiffs' *Response to Order* [Doc. 18] [Doc. 19], and Plaintiffs' *Status of Service Regarding Defendant Dawes* [Doc. 20], Plaintiffs' Counsel has diligently continued to search multiple databases and consult with known creditors of Defendant Dawes attempting to ascertain her whereabouts for service.

2. Upon information and belief, Defendant Dawes is reported to be residing at Watchtower Farms, 800 Red Mills Road, Wallkill, New York 12589. This information was provided to Plaintiffs' Counsel from one of the other creditors of Defendant Dawes.

3. Watchtower Farms in Wallkill, New York is a large and private group of farms owned and operated by the religious organization of the Jehovah's Witnesses. Upon information

and belief, Watchtower Farms is the printery for the Jehovah's Witnesses bibles, magazines and other printed materials used in their outreach, and houses an educational facility. Residential quarters are provided to Jehovah's Witnesses. (A copy of an aerial photo of Watchtower Farms, 800 Red Mills Road, Wallkill, New York 12589 is attached as Exhibit A).

4. Access to Watchtower Farms is limited. According to the Watchtower Farms' website, an application must be submitted and approved before anyone is granted access to the property.

5. Plaintiffs' Counsel attempted to execute service on Defendant Dawes via certified mail restricted delivery, sent on October 17, 2019, to Jacqueline Dawes, Watchtower Farms, 800 Red Mills Road, Wallkill, New York 12589. The large service envelope was stamped multiple times, as well as the ends of the green return receipt document, with the United States Postal Services stamp "Restricted Delivery" in red ink.

6. Plaintiffs' Counsel received the green return receipt document from the certified mail addressed to Defendant Dawes at Watchtower Farms in the mail on October 30, 2019, noting that it had been signed and received on behalf of Defendant Dawes, but the receipt was not signed by Defendant Dawes. (A copy of the return receipt is attached as Exhibit B).

7. Plaintiffs' Counsel attempted again, on November 6, 2019 to execute service on Defendant Dawes via certified mail restricted delivery, specifically addressed to Jacqueline Dawes, 800 Red Mills Road, Wallkill, New York 12589. The large service envelope was stamped no less than ten times, as well as the ends of the green return receipt document, with the United States Postal Services stamp "Restricted Delivery" in red ink.

8. Plaintiffs' Counsel received the green return receipt document from the certified mail addressed specifically to Defendant Dawes in the mail on November 20, 2019, noting that it

had been signed and received on behalf of Defendant Dawes, but the receipt was not signed by Defendant Dawes. (A copy of the return receipt is attached as Exhibit C) This second attempt included the reported address where Defendant Dawes is thought to reside, but did not include the name of the farm and was specifically addressed to Defendant Dawes.

9. Plaintiffs' Counsel's office contacted the Postmaster for the Wallkill, New York post office to inquire why another individual signed for the envelopes specifically marked "Restricted Delivery" and addressed to Defendant Dawes. The Postmaster informed Counsel's office that the mail is presented to whomever arrives at the post office to pick up the mail and that individual is asked if an addressee is a resident at Watchtower Farms. The Postmaster stated that the answer is usually no or is an evasive answer, so the postal employee will let the individual collecting the mail sign as an Agent, in an attempt to get the mail delivered. This has been the case for both attempts to serve Defendant Dawes. To Counsel's knowledge, at no time during this service process has Watchtower Farms informed or reported to the Postal Service or undersigned Counsel that Defendant Dawes did not reside at Watchtower Farms.

10. Plaintiffs' Counsel has also sent mail in a plain envelope to Defendant Dawes on several occasions since the filing of the Complaint, at 800 Red Mills Road, Wallkill, New York 12589, via regular/standard US Mail, which has been delivered and not returned to our office.

11. Plaintiffs' Counsel advises the Court that Plaintiffs will continue to exhaust all efforts to execute service on Defendant Dawes wherever Defendant Dawes can be located.

12. As outlined above, Plaintiffs' Counsel submits Defendant Dawes is evading service of process in this matter. Defendant Dawes has given an address online of 800 Red Mills Road, Wallkill, New York 12589. (A copy of the White Pages listing for Jacqueline Dawes is

attached as Exhibit D). The address in Wallkill, New York is Watchtower Farms and the mail sent there is being delivered, but has not prompted a response from Defendant Dawes.

13. As Defendant Dawes is evading service of process, Plaintiffs would request additional time to attempt service by other means, such as private investigator.

WHEREFORE, Plaintiffs respectfully request this Honorable Court grant Plaintiffs additional time to attempt to execute service on Defendant Dawes.

/s/ Jeffrey C. Taylor
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2019, I electronically filed the foregoing *Status of Service Regarding Defendant Dawes and Motion to Extend Time for Service* with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served via regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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/s/ Jeffrey C. Taylor
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